

SEARCH WARRANT

*FOR THE SEIZURE OF THE ANIMALS AND
SEARCH OF THE PROPERTY AT
20 SUNNY REST ROAD*

ATTACHMENT ONE

DEFENDANT CAWLEY'S ANSWER TO COMPLAINT



District Attorney

Jean A. Engler

Assistants

Michael S. Greek

Cynthia A. Dyrda-Hatton

Seth E. Miller

Joseph D. Perilli

Brian B. Gazo

Special Assistant

Gary F. Dobias

Chief County Detective

Timothy L. Nothstein

County Detective

Jeffrey P. Aster

Victim/Witness Coordinator

Nancy Juracka

OFFICE OF THE

District Attorney of Carbon County

COURT HOUSE BUILDING

P.O. BOX 36

JIM THORPE, PENNSYLVANIA 18229

Phone (570) 325-2718

Fax (570) 325-3525

215 536 6245

TELECOPY TRANSMITTAL

DATE: 1-22-2016
TO:
COMPANY: Trooper Canby
CITY: STATE:
TELECOPY NUMBER:
FROM:
LOCATION: CARBON COUNTY COURTHOUSE, P.O. BOX 36, JIM THORPE,
PA 18229
RE: 610-681-1854
MESSAGE: Search Approved Warrant

TOTAL NUMBER OF PAGES, INCLUDING COVER SHEET IS: 3
IF COPY IS ILLEGIBLE OR INCOMPLETE, PLEASE CALL (570) 325-2718
IMMEDIATELY FOR RETRANSMISSION.

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Thank You!

Docket Number
(Issuing Authority):Police Incident
Number: 20164439Warrant Control
Number:

009-16

Tpr. Erin K. CAWLEY

Pennsylvania State Police

610-681-1850

01/22/2016

AFFIANT NAME

AGENCY

PHONE NUMBER

DATE OF APPLICATION

IDENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (Be as specific as possible):

Any and all animals (equine, bovine, swine, canine, feline, sheep, rabbits, birds and exotic animals), located on the property which appear to be in need of veterinary intervention and care. Also to include any and all carcasses of deceased animals to determine cause of death.

SPECIFIC DESCRIPTION OF PREMISES AND/OR PERSON TO BE SEARCHED (Street and No., Apt. No., Vehicle, Safe Deposit Box, etc.):

Social security numbers and financial information (e.g. PINS) should not be listed. If the identity of an account number must be established, list only the last four digits. 204 Pa.Code §§ 213.1 - 213.7.

All residences and exterior storage buildings, including barns, trailers and run ins, as well as all pastures located on the property of 20 Sunny Rest Road, located in Lower Towamensing Twp. Carbon County.

NAME OF OWNER, OCCUPANT OR POSSESSOR OF SAID PREMISES TO BE SEARCHED (If proper name is unknown, give alias and/or description):

Kimberly A. SHOOP, W/N-F, DOB: 12/25/63, SSN: 187-60-0977.

VIOLATION OF (Describe conduct or specify statute):

PA CC 5511 Cruelty to Animals

DATE(S) OF VIOLATION:

01/21/2016

☒ **Warrant Application Approved by District Attorney – DA File No. 009-16**
(If DA approval required per Pa.R.Crim.P. 202(A) with assigned File No. per Pa.R.Crim.P. 507)

☐ **Additional Pages Attached (Other than Affidavit of Probable Cause)**

☒ **Probable Cause Affidavit(s) MUST be attached (unless sealed below) Total number of pages: _____**

TOTAL NUMBER OF PAGES IS SUM OF ALL APPLICATION, PROBABLE CAUSE AND CONTINUATION PAGES EVEN IF ANY OF THE PAGES ARE SEALED

The below named Affiant, being duly sworn (or affirmed) before the Issuing Authority according to law, deposes and says that there is probable cause to believe that certain property is evidence of or the fruit of a crime or is contraband or is unlawfully possessed or is otherwise subject to seizure, and is located at the particular premises or in the possession of the particular person as described above.

Signature of Affiant

Pennsylvania State Police -Lehighton

8901/520634

Agency or Address if private Affiant

Badge Number

Sworn to and subscribed before me this 22nd day of January, 2016. Mag. Dist. No. 56-3-02

Signature of Issuing Authority

Office Address

401 Delaware Ave 2nd Flr. Palmerton, Pa 18071 (SEAL)

**SEARCH WARRANT
TO LAW ENFORCEMENT
OFFICER:**

WHEREAS, facts have been sworn to or affirmed before me by written affidavit(s) attached hereto from which I have found probable cause, I do authorize you to search the premises or person described, and to seize, secure, inventory and make return according to the Pennsylvania Rules of Criminal Procedure.

☒ This Warrant shall be served as soon as practicable and shall be served only between the hours of 6AM to 10PM but in no event later than: *

This Warrant shall be served as soon as practicable and may be served any time during the day or night but in no event later than: **

10:14 A M, o'clock January 24, 2016.

☒ This Warrant shall be returned to judicial officer William J. Kissner

* The issuing authority should specify a date not later than two (2) days after issuance. Pa.R.Crim.P. 205(4).

** If the issuing authority finds reasonable cause for issuing a nighttime warrant on the basis of additional reasonable cause set forth in the accompanying affidavit(s) and wishes to issue a nighttime warrant, then this block shall be checked. Pa.R.Crim.P. 206(7).

Issued under my hand this 22nd day of January, 2016 at 10:15 A M, o'clock.

Signature of Issuing Authority

Mag. Dist. or Judicial Dist. No. 56-3-02

1/11/2018

(SEAL)

Date Commission Expires: 1/11/18

Title of Issuing Authority: ☒ Magisterial District Judge ☐ Common Pleas Judge ☐ _____

☐ **For good cause stated in the affidavit(s) the Search Warrant Affidavit(s) are sealed for _____ days by my certification and signature. (Pa.R.Crim.P. 211)**

(Date) (SEAL)

Signature of Issuing Authority (Judge of the Court of Common Pleas or Appellate Court Justice or Judge).

TO BE COMPLETED BY THE ISSUING AUTHORITY

Commonwealth of Pennsylvania

AFFIDAVIT OF
PROBABLE CAUSE

COUNTY OF CARBON

Docket Number

Police Incident

Warrant Control

(Issuing Authority):

Number: 20164439

Number:

009-16

PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

1. That your affiant, Tpr. Erin K. CAWLEY is a duly sworn member of the Pennsylvania State Police, currently assigned to the Troop N, Lehigh Valley, Criminal Investigation Unit. Your affiant also holds the designation of the Troop N, Animal Cruelty Liaison.
2. That on 01/20/16, your affiant received a complaint about several horses, dogs, sheep, cows, alligators, a pig and a turkey, located on the property of 20 Sunny Rest Road, located in Lower Towamensing Twp. Carbon County. The complainant indicated there are several deceased horses laying in the pastures, located on the property and other animals also located on the property are in poor health and in need of veterinary care.
3. That the property owner of 20 Sunny Rest Road was identified as Clyde R. SHOOP, W/N-M, DOB: 12/21/48, SSN: 170-40-4169, via Carbon County Tax Assessment Records. Clyde R. SHOOP currently holds an address of 318 Center Street Jim Thorpe, PA 18229, via Penn Dot Drivers' License Records.
4. That the current residents of 20 Sunny Rest Road have been identified as Kimberly A. SHOOP, W/N-F, DOB: 12/25/63, SSN: 187-60-0977 and Bradley V. SHOOP, W/N-M, DOB: 11/16/94, SSN: 161-76-5400, via Penn Dot Drivers' License Records and neighbors of the property.
5. That on 01/21/16, your affiant was granted access to bordering properties of 20 Sunny Rest Road, by their respective property owners. Your affiant was able to observe the animals on the property of 20 Sunny Rest Road. Your affiant observed a deceased, brown/chestnut in color horse, laying in a rear pasture. Your affiant also observed five (5) other horses which appeared to be dangerously thin for the current temperatures (25 degrees Fahrenheit), with rib bones, hip bones and backbones clearly discernable. no water troughs and/or hay bails were observed in any of the pastures.
6. Your affiant avers that the issuance of this search warrant would allow investigators to further their investigation and gather evidence to assist in the prosecution of charges as well as allow access of the needed veterinary intervention for the animals in need of care, of which the owner and/or occupant of the property has been unwilling to provide.

I, Tpr. Erin K. CAWLEY, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Affiant Signature

Date

Issuing Authority Signature

Date

(SEAL)

SEARCH WARRANT

*FOR THE SEARCH AND SEIZURE OF
VETERINARY RECORDS RELATED TO
PLAINTIFF CLYDE RENDELL SHOOP*

ATTACHMENT ONE

DEFENDANT CAWLEY'S ANSWER TO COMPLAINT



COUNTY OF CARBON

Docket Number
(Issuing Authority):Police Incident
Number: 2016-4439Warrant Control
Number: 019-16

Tpr. Erin K. CAWLEY

Pennsylvania State Police

610-681-1850

02/18/16

AFFIANT NAME

AGENCY

PHONE NUMBER

DATE OF APPLICATION

IDENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (Be as specific as possible):

Any and all veterinary medical records for client/Veterinary Clinic Owner Clyde Rendell SHOOP, (DOB: 12/21/48), 318 Center Street Jim Thorpe, PA 18229.

SPECIFIC DESCRIPTION OF PREMISES AND/OR PERSON TO BE SEARCHED (Street and No., Apt. No., Vehicle, Safe Deposit Box, etc.):

Social security numbers and financial information (e.g. PINS) should not be listed. If the identity of an account number must be established, list only the last four digits. 204 Pa.Code §§ 213.1 - 213.7.

Poco West Veterinary Clinic, 318 Center Street Jim Thorpe, PA 18229

NAME OF OWNER, OCCUPANT OR POSSESSOR OF SAID PREMISES TO BE SEARCHED (If proper name is unknown, give alias and/or description):

Poco West Veterinary Clinic

VIOLATION OF (Describe conduct or specify statute):

PA CC 5511 Cruelty to Animals

DATE(S) OF VIOLATION:

01/21/2016

☒ Warrant Application Approved by District Attorney – DA File No. 019-16
(If DA approval required per Pa.R.Crim.P. 202(A) with assigned File No. per Pa.R.Crim.P. 507)☐ Additional Pages Attached (Other than Affidavit of Probable Cause)☒ Probable Cause Affidavit(s) MUST be attached (unless sealed below) Total number of pages: 2

TOTAL NUMBER OF PAGES IS SUM OF ALL APPLICATION, PROBABLE CAUSE AND CONTINUATION PAGES EVEN IF ANY OF THE PAGES ARE SEALED

The below named Affiant, being duly sworn (or affirmed) before the Issuing Authority according to law, deposes and says that there is probable cause to believe that certain property is evidence of or the fruit of a crime or is contraband or is unlawfully possessed or is otherwise subject to seizure, and is located at the particular premises or in the possession of the particular person as described above.

Signature of Affiant

Pennsylvania State Police -Lehighton

8901/520634

Agency or Address if private Affiant

Badge Number

Sworn to and subscribed before me this 19th day of February 2016 Mag. Dist. No. 56-3-02

Signature of Issuing Authority

Office Address

401 Delaware Ave. 2nd Fl. Palmerton, Pa 18071 (SEAL)

SEARCH WARRANT

TO LAW ENFORCEMENT

OFFICER:

WHEREAS, facts have been sworn to or affirmed before me by written affidavit(s) attached hereto from which I have found probable cause, I do authorize you to search the premises or person described, and to seize, secure, inventory and make return according to the Pennsylvania Rules of Criminal Procedure.

☒ This Warrant shall be served as soon as practicable and shall be served only between the hours of 6AM to 10PM but in no event later than: *☐ This Warrant shall be served as soon as practicable and may be served any time during the day or night but in no event later than: **

10:14 a M, o'clock 2/21 2016

☒ This Warrant shall be returned to judicial officer William J. Kissner

* The issuing authority should specify a date not later than two (2) days after issuance. Pa.R.Crim.P. 205(4).

** If the issuing authority finds reasonable cause for issuing a nighttime warrant on the basis of additional reasonable cause set forth in the accompanying affidavit(s) and wishes to issue a nighttime warrant, then this block shall be checked. Pa.R.Crim.P. 206(7).

Issued under my hand this 19th day of February 2016 at 10:15 a M, o'clock.

Signature of Issuing Authority

Mag. Dist. or Judicial Dist. No.

Date Commission Expires:

Title of Issuing Authority: ☒ Magisterial District Judge ☐ Common Pleas Judge ☐☐ For good cause stated in the affidavit(s) the Search Warrant Affidavit(s) are sealed for _____ days by my certification and signature. (Pa.R.Crim.P. 211)

(Date) (SEAL)

Signature of Issuing Authority (Judge of the Court of Common Pleas or Appellate Court Justice or Judge).

Commonwealth of Pennsylvania**COUNTY OF CARBON****AFFIDAVIT OF PROBABLE CAUSE**

Docket Number

Police Incident

Warrant Control

(Issuing Authority):

Number: 20164439

Number:

019-16

PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

1. That your affiant, Tpr. Erin K. CAWLEY is a duly sworn member of the Pennsylvania State Police, currently assigned to the Troop N. Leighton, Criminal Investigaiton Unit. Your affiant also holds the designation of the Troop N, Animal Cruelty Liaison.
2. That on 01/20/16, your affiant received a complaint about several horses, dogs, sheep, cows, alligators, a pig and a turkey, located on the property of 20 Sunny Rest Road, located in Lower Towamensing Twp. Carbon County. The complainant indicated there are several deceased horses laying in the pastures, located on the property and other animals also located on the property are in poor health and in need of veterinary care.
3. That the property owner of 20 Sunny Rest Road was identified as Clyde R. SHOOP, W/N-M, DOB: 12/21/48, SSN: 170-40-4169, via Carbon County Tax Assessment Records. Clyde R. SHOOP currently holds an address of 318 Center Street Jim Thorpe, PA 18229, via Penn Dot Drivers' License Records.
4. That the current residents of 20 Sunny Rest Road have been identified as Kimberly A. SHOOP, W/N-F, DOB: 12/25/63, SSN: 187-60-0977 and Bradley V. SHOOP, W/N-M, DOB: 11/16/94, SSN: 161-76-5400, via Penn Dot Drivers' License Records and neighbors of the property.
5. That on 01/21/16, your affiant was granted access to bordering properties of 20 Sunny Rest Road, by their respective property owners. Your affiant was able to observe the animals on the property of 20 Sunny Rest Road. Your affiant observed a deceased, brown/chesnut in color horse, laying in a rear pasture. Your affiant also observed five (5) other horses which appeared to be dangerously thin for the current temperatures (25 degrees Fahrenheit), with rib bones, hip bones and backbones clearly discernable. no water troughs and/or hay bails were observed in any of the pastures.
6. That based on the above information a search warrant was applied for and approved by Carbon County Assistant District Attorney Brian GAZO and signed by Magisterial Judge William KISSNER on 01/22/16 and served upon the property of 20 Sunny Rest Road on the same date.
7. That upon service of the warrant by your affiant at 20 Sunny Rest Road, your affiant observed 16 horses, 8 dogs (outside), a male calf, a boar (male pig), a turkey and approximaltey 20 sheep, on the property. Your affiant also observed the above mentioned deceased horse in a pasture, the remains of three deceased horses located under pallets, the remains of one horse located underneath a partially burned mattress and a pit containing 2 deceased horses, 2 sheep, a lamb, a dog and what appeared to be a goat, all located on the property.
8. That 9 horses were determined to be critical, of the 9 critical, 5 of the most critical were removed from the proeprty on 01/22/16.
9. That the remaining 4 critical horses were removed from the property on 01/26/16, as both Kimberly and Clyde SHOOP were denying ownership of the remaining horses.
10. That Kimberly A. SHOOP claimed ownership of one horse, a buckskin, adult, quarter horse type male, the reptiles located inside the residence, 3 dogs and various birds (also located inside the residence).
11. That Clyde R. SHOOP claimed ownership of one horse, a bay, with large lump on FL knee, wound on FR pastern/coronary band, adult quarter horse type male and the sheep. Both Kim A. SHOOP and Clyde R. SHOOP denied ownership of all other animals on the property.

CONTINUED

I, Tpr. Erin K. CAWLEY, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Affiant Signature

Date

Issuing Authority Signature

Date

(SEAL)

Commonwealth of Pennsylvania
**APPLICATION FOR
SEARCH WARRANT
CONTINUATION PAGES**
COUNTY OF CARBON
Docket Number
(Issuing Authority):

Police Incident
Number: 20164439

Warrant Control
Number:

019-16

Continuation of:
☐ Items to be searched
and seized

☐ Description of premises/person(s)
to be searched

☐ Owner/ Occupant

☐ Violations

CONTINUATION OF AFFIDAVIT OF PROBABLE CAUSE

12. That of the 9 critical horses, 3 succumbed due to "Emaciation" as documented by the necropsies performed by the Pennsylvania Animal Diagnostic Laboratory System, New Bolton Center.

13. Your affiant believes by obtaining the veterinary records for client/owner Clyde R. SHOOP at Poco West Veterinary Clinic, will assist in determining the ownership of the animals involved in this investigation and assist in the prosecution of charges.

[Signature] 2/19/16

Page of Pages

[Signature]

2/19/16

SEARCH WARRANT

*FOR THE SEARCH AND SEIZURE OF
VETERINARY RECORDS RELATED TO
KIMBERLY SHOOP*

ATTACHMENT ONE

DEFENDANT CAWLEY'S ANSWER TO COMPLAINT

Commonwealth of Pennsylvania

Case 3:17-cv-00912-MEM Document

Filed 09/01/17

APPLICATION FOR
SEARCH WARRANT
AND AUTHORIZATIONDocket Number
(Issuing Authority):Police Incident
Number: 2016-4439Warrant Control
Number: 20-16

Tpr. Erin K. CAWLEY

Pennsylvania State Police

610-681-1850

02/18/16

AFFIANT NAME

AGENCY

PHONE NUMBER

DATE OF APPLICATION

IDENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (Be as specific as possible):

Any and all veterinary medical records for client Kimberly A. SHOOP, (DOB: 12/25/63), 20 Sunny Rest Road
Palmerton, PA 18071.

SPECIFIC DESCRIPTION OF PREMISES AND/OR PERSON TO BE SEARCHED (Street and No., Apt. No., Vehicle, Safe Deposit Box, etc.):

Social security numbers and financial information (e.g. PINS) should not be listed. If the identity of an account number must be established, list only the last four digits. 204
Pa.Code §§ 213.1 - 213.7.

Poco West Veterinary Clinic, 318 Center Street Jim Thorpe, PA 18229

NAME OF OWNER, OCCUPANT OR POSSESSOR OF SAID PREMISES TO BE SEARCHED (If proper name is unknown, give alias and/or description):

Poco West Veterinary Clinic

VIOLATION OF (Describe conduct or specify statute):

PA CC 5511 Cruelty to Animals

DATE(S) OF VIOLATION:

01/21/2016

☒ Warrant Application Approved by District Attorney - DA File No. 020-14

(If DA approval required per Pa.R.Crim.P. 202(A) with assigned File No. per Pa.R.Crim.P. 507)

☐ Additional Pages Attached (Other than Affidavit of Probable Cause)☒ Probable Cause Affidavit(s) MUST be attached (unless sealed below) Total number of pages: 2

TOTAL NUMBER OF PAGES IS SUM OF ALL APPLICATION, PROBABLE CAUSE AND CONTINUATION PAGES EVEN IF ANY OF THE PAGES ARE SEALED

The below named Affiant, being duly sworn (or affirmed) before the Issuing Authority according to law, deposes and says that there is probable cause to believe that certain property is evidence of or the fruit of a crime or is contraband or is unlawfully possessed or is otherwise subject to seizure, and is located at the particular premises or in the possession of the particular person as described above.

Signature of Affiant

Pennsylvania State Police -Lehighton

8901/520634

Agency or Address if private Affiant

Badge Number

Sworn to and subscribed before me this 19th day of January, 2016. Mag. Dist. No. 56-3-02

Signature of Issuing Authority

Office Address

401 Delaware Ave. 2nd Fl. Palmerton Pa 18071 (SEAL)

SEARCH WARRANT
TO LAW ENFORCEMENT
OFFICER:

WHEREAS, facts have been sworn to or affirmed before me by written affidavit(s) attached hereto from which I have found probable cause, I do authorize you to search the premises or person described, and to seize, secure, inventory and make return according to the Pennsylvania Rules of Criminal Procedure.

☒ This Warrant shall be served as soon as practicable and shall be served only between the hours of 6AM to 10PM but in no event later than:*☐ This Warrant shall be served as soon as practicable and may be served any time during the day or night but in no event later than: **

10:14 a M, o'clock February 21, 2016

☒ This Warrant shall be returned to judicial officer William L. Kissner

* The issuing authority should specify a date not later than two (2) days after issuance. Pa.R.Crim.P. 205(4).

** If the issuing authority finds reasonable cause for issuing a nighttime warrant on the basis of additional reasonable cause set forth in the accompanying affidavit(s) and wishes to issue a nighttime warrant, then this block shall be checked. Pa.R.Crim.P. 206(7).

Issued under my hand this 19th day of February, 2016 at 10:15 A M, o'clock.

Signature of Issuing Authority

Mag. Dist. or Judicial Dist. No.

Date Commission Expires:

Title of Issuing Authority: ☒ Magisterial District Judge ☐ Common Pleas Judge ☐☐ For good cause stated in the affidavit(s) the Search Warrant Affidavit(s) are sealed for _____ days
by my certification and signature. (Pa.R.Crim.P. 211)

Signature of Issuing Authority (Judge of the Court of Common Pleas or Appellate Court Justice or Judge).

(Date) (SEAL)

TO BE COMPLETED BY THE ISSUING AUTHORITY

Commonwealth of Pennsylvania**AFFIDAVIT OF PROBABLE CAUSE****COUNTY OF CARBON**Docket Number
(Issuing Authority):Police Incident
Number: 20164439Warrant Control
Number: 20-16**PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:**

1. That your affiant, Tpr. Erin K. CAWLEY is a duly sworn member of the Pennsylvania State Police, currently assigned to the Troop N. Lehigh, Criminal Investigaiton Unit. Your affiant also holds the designation of the Troop N, Animal Cruelty Liaison.
2. That on 01/20/16, your affiant received a complaint about several horses, dogs, sheep, cows, alligators, a pig and a turkey, located on the property of 20 Sunny Rest Road, located in Lower Towamensing Twp. Carbon County. The complainant indicated there are several deceased horses laying in the pastures, located on the property and other animals also located on the property are in poor health and in need of veterinary care.
3. That the property owner of 20 Sunny Rest Road was identified as Clyde R. SHOOP, W/N-M, DOB: 12/21/48, SSN: 170-40-4169, via Carbon County Tax Assessment Records. Clyde R. SHOOP currently holds an address of 318 Center Street Jim Thorpe, PA 18229, via Penn Dot Drivers' License Records.
4. That the current residents of 20 Sunny Rest Road have been identified as Kimberly A. SHOOP, W/N-F, DOB: 12/25/63, SSN: 187-60-0977 and Bradley V. SHOOP, W/N-M, DOB: 11/16/94, SSN: 161-76-5400, via Penn Dot Drivers' License Records and neighbors of the property.
5. That on 01/21/16, your affiant was granted access to bordering properties of 20 Sunny Rest Road, by their respective property owners. Your affiant was able to observe the animals on the property of 20 Sunny Rest Road. Your affiant observed a deceased, brown/chesnut in color horse, laying in a rear pasture. Your affiant also observed five (5) other horses which appeared to be dangerously thin for the current temperatures (25 degrees Fahrenheit), with rib bones, hip bones and backbones clearly discernable. no water troughs and/or hay bails were observed in any of the pastures.
6. That based on the above information a search warrant was applied for and approved by Carbon County Assistant District Attorney Brian GAZO and signed by Magisterial Judge William KISSNER on 01/22/16 and served upon the property of 20 Sunny Rest Road on the same date.
7. That upon service of the warrant by your affiant at 20 Sunny Rest Road, your affiant observed 16 horses, 8 dogs (outside), a male calf, a boar (male pig), a turkey and approximatley 20 sheep, on the property. Your affiant also observed the above mentioned deceased horse in a pasture, the remains of three deceased horses located under pallets, the remains of one horse located underneath a partially burned mattress and a pit containing 2 deceased horses, 2 sheep, a lamb, a dog and what appeared to be a goat, all located on the property.
8. That 9 horses were determined to be critical, of the 9 critical, 5 of the most critical were removed from the proeprty on 01/22/16.
9. That the remaining 4 critical horses were removed from the property on 01/26/16, as both Kimberly and Clyde SHOOP were denying ownership of the remaining horses.
10. That Kimberly A. SHOOP claimed ownership of one horse, a buckskin, adult, quarter horse type male, the reptiles located inside the residence, 3 dogs and various birds (also located inside the residence).
11. That Clyde R. SHOOP claimed ownership of one horse, a bay, with large lump on FL knee, wound on FR pastern/coronary band, adult quarter horse type male and the sheep. Both Kim A. SHOOP and Clyde R. SHOOP denied ownership of all other animals on the property.

CONTINUED

I, Tpr. Erin K. CAWLEY, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Affiant Signature

Date

Issuing Authority Signature

Date

(SEAL)

Commonwealth of Pennsylvania

APPLICATION FOR
SEARCH WARRANT
CONTINUATION PAGES

COUNTY OF CARBON

Docket Number

Police Incident

Warrant Control

(Issuing Authority):

Number: 20164439

Number:

20-16

Continuation of:☐ Items to be searched
and seized☐ Description of premises/person(s)
to be searched☐ Owner/ Occupant☐ Violations

CONTINUATION OF AFFIDAVIT OF PROBABLE CAUSE

12. That of the 9 critical horses, 3 succumbed due to "Emaciation" as documented by the necropsies performed by the Pennsylvania Animal Diagnostic Laboratory System, New Bolton Center.

13. Your affiant believes by obtaining the veterinary records for client Kimberly A. SHOOP at Poco West Veterinary Clinic, will assist in determining the ownership of the animals involved in this investigation and assist in the prosecution of charges.

Phillips 2/19/16

Page of Pages

W. J. K.

2/19/16

SEARCH WARRANT

*FOR THE SEARCH AND SEIZURE OF
VETERINARY RECORDS RELATED TO
BRADLEY SHOOP*

ATTACHMENT ONE

DEFENDANT CAWLEY'S ANSWER TO COMPLAINT

COUNTY OF CARBON

Docket Number
(Issuing Authority):Police Incident
Number: 2016-4439Warrant Control
Number: 21-16

Tpr. Erin K. CAWLEY

Pennsylvania State Police

610-681-1850

02/18/16

AFFIANT NAME

AGENCY

PHONE NUMBER

DATE OF APPLICATION

IDENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (Be as specific as possible):

Any and all veterinary medical records for client Bradley V. SHOOP (DOB: 11/16/94), 20 Sunny Rest Road Palmerton, PA 18071.

SPECIFIC DESCRIPTION OF PREMISES AND/OR PERSON TO BE SEARCHED (Street and No., Apt. No., Vehicle, Safe Deposit Box, etc.):

Social security numbers and financial information (e.g. PINS) should not be listed. If the identity of an account number must be established, list only the last four digits. 204 Pa.Code §§ 213.1 - 213.7.

Poco West Veterinary Clinic, 318 Center Street Jim Thorpe, PA 18229

NAME OF OWNER, OCCUPANT OR POSSESSOR OF SAID PREMISES TO BE SEARCHED (If proper name is unknown, give alias and/or description):

Poco West Veterinary Clinic

VIOLATION OF (Describe conduct or specify statute):

PA CC 5511 Cruelty to Animals

DATE(S) OF VIOLATION:
01/21/2016☒ Warrant Application Approved by District Attorney – DA File No. 21-16
(If DA approval required per Pa.R.Crim.P. 202(A) with assigned File No. per Pa.R.Crim.P. 507)☐ Additional Pages Attached (Other than Affidavit of Probable Cause)☒ Probable Cause Affidavit(s) MUST be attached (unless sealed below) Total number of pages: 2

TOTAL NUMBER OF PAGES IS SUM OF ALL APPLICATION, PROBABLE CAUSE AND CONTINUATION PAGES EVEN IF ANY OF THE PAGES ARE SEALED

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Signature of Affiant

Pennsylvania State Police -Lehighon

8901/520634

Agency or Address if private Affiant

Badge Number

Sworn to and subscribed before me this 19th day of February, 2016. Mag. Dist. No. 56-3-02

Signature of Issuing Authority

Office Address

401 Delaware Ave. 2nd Fl. Palmerton Pa 18071 (SEAL)SEARCH WARRANT
TO LAW ENFORCEMENT
OFFICER:

WHEREAS, facts have been sworn to or affirmed before me by written affidavit(s) attached hereto from which I have found probable cause, I do authorize you to search the premises or person described, and to seize, secure, inventory and make return according to the Pennsylvania Rules of Criminal Procedure.

☒ This Warrant shall be served as soon as practicable and shall be served only between the hours of 6AM to 10PM but in no event later than: *☐ This Warrant shall be served as soon as practicable and may be served any time during the day or night but in no event later than: **

10:14 a M, o'clock February 21, 2016

☒ This Warrant shall be returned to judicial officer William J. Kissner

* The issuing authority should specify a date not later than two (2) days after issuance. Pa.R.Crim.P. 205(4).

** If the issuing authority finds reasonable cause for issuing a nighttime warrant on the basis of additional reasonable cause set forth in the accompanying affidavit(s) and wishes to issue a nighttime warrant, then this block shall be checked. Pa.R.Crim.P. 206(7).

Issued under my hand this 19th day of February, 2016 at 10:15 a M, o'clock.

Signature of Issuing Authority

Mag. Dist. or Judicial Dist. No.

Date Commission Expires:

Title of Issuing Authority: ☒ Magisterial District Judge ☐ Common Pleas Judge ☐☐ For good cause stated in the affidavit(s) the Search Warrant Affidavit(s) are sealed for _____ days by my certification and signature. (Pa.R.Crim.P. 211)

Signature of Issuing Authority (Judge of the Court of Common Pleas or Appellate Court Justice or Judge)

(Date) (SEAL)

TO BE COMPLETED BY THE ISSUING AUTHORITY

Commonwealth of Pennsylvania**COUNTY OF CARBON****AFFIDAVIT OF PROBABLE CAUSE**

Docket Number

Police Incident

Warrant Control

(Issuing Authority):

Number: 20164439

Number:

21-16

PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

1. That your affiant, Tpr. Erin K. CAWLEY is a duly sworn member of the Pennsylvania State Police, currently assigned to the Troop N. Lehighon, Criminal Investigation Unit. Your affiant also holds the designation of the Troop N, Animal Cruelty Liaison.
2. That on 01/20/16, your affiant received a complaint about several horses, dogs, sheep, cows, alligators, a pig and a turkey, located on the property of 20 Sunny Rest Road, located in Lower Towamensing Twp. Carbon County. The complainant indicated there are several deceased horses laying in the pastures, located on the property and other animals also located on the property are in poor health and in need of veterinary care.
3. That the property owner of 20 Sunny Rest Road was identified as Clyde R. SHOOP, W/N-M, DOB: 12/21/48, SSN: 170-40-4169, via Carbon County Tax Assessment Records. Clyde R. SHOOP currently holds an address of 318 Center Street Jim Thorpe, PA 18229, via Penn Dot Drivers' License Records.
4. That the current residents of 20 Sunny Rest Road have been identified as Kimberly A. SHOOP, W/N-F, DOB: 12/25/63, SSN: 187-60-0977 and Bradley V. SHOOP, W/N-M, DOB: 11/16/94, SSN: 161-76-5400, via Penn Dot Drivers' License Records and neighbors of the property.
5. That on 01/21/16, your affiant was granted access to bordering properties of 20 Sunny Rest Road, by their respective property owners. Your affiant was able to observe the animals on the property of 20 Sunny Rest Road. Your affiant observed a deceased, brown/chesnut in color horse, laying in a rear pasture. Your affiant also observed five (5) other horses which appeared to be dangerously thin for the current temperatures (25 degrees Fahrenheit), with rib bones, hip bones and backbones clearly discernable. no water troughs and/or hay bails were observed in any of the pastures.
6. That based on the above information a search warrant was applied for and approved by Carbon County Assistant District Attorney Brian GAZO and signed by Magisterial Judge William KISSNER on 01/22/16 and served upon the property of 20 Sunny Rest Road on the same date.
7. That upon service of the warrant by your affiant at 20 Sunny Rest Road, your affiant observed 16 horses, 8 dogs (outside), a male calf, a boar (male pig), a turkey and approximately 20 sheep, on the property. Your affiant also observed the above mentioned deceased horse in a pasture, the remains of three deceased horses located under pallets, the remains of one horse located underneath a partially burned mattress and a pit containing 2 deceased horses, 2 sheep, a lamb, a dog and what appeared to be a goat, all located on the property.
8. That 9 horses were determined to be critical, of the 9 critical, 5 of the most critical were removed from the property on 01/22/16.
9. That the remaining 4 critical horses were removed from the property on 01/26/16, as both Kimberly and Clyde SHOOP were denying ownership of the remaining horses.
10. That Kimberly A. SHOOP claimed ownership of one horse, a buckskin, adult, quarter horse type male, the reptiles located inside the residence, 3 dogs and various birds (also located inside the residence).
11. That Clyde R. SHOOP claimed ownership of one horse, a bay, with large lump on FL knee, wound on FR pastern/coronary band, adult quarter horse type male and the sheep. Both Kim A. SHOOP and Clyde R. SHOOP denied ownership of all other animals on the property.

CONTINUED

I, Tpr. Erin K. CAWLEY, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Affiant Signature

Date

Issuing Authority Signature

Date

(SEAL)

Commonwealth of Pennsylvania

APPLICATION FOR
SEARCH WARRANT
CONTINUATION PAGES

COUNTY OF CARBON

Docket Number

Police Incident

Warrant Control

(Issuing Authority):

Number: 20164439

Number:

21-16

Continuation of:☐ Items to be searched
and seized☐ Description of premises/person(s)
to be searched☐ Owner/ Occupant☐ Violations

CONTINUATION OF AFFIDAVIT OF PROBABLE CAUSE

12. That of the 9 critical horses, 3 succumbed due to "Emaciation" as documented by the necropsies performed by the Pennsylvania Animal Diagnostic Laboratory System, New Bolton Center.

13. Your affiant believes by obtaining the veterinary records for client Bradley V. SHOOP at Poco West Veterimary Clinic, will assist in determining the ownership of the animals involved in this investigation and assit in the prosecution of charges.

[Signature] 2/19/16

[Signature]

2/19/16